

Kerala Gazette No. 32 dated 12th August 2014.

## **PART I**



### **GOVERNMENT OF KERALA**

#### **Abstract**

**WATER RESOURCES DEPARTMENT—DISCLOSURE OF DOCUMENTS/INFORMATION RELATED  
TO INTER STATE MATTERS—INSTRUCTIONS—ORDERS ISSUED**

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#### **WATER RESOURCES (INTER STATE WATER CELL) DEPARTMENT**

**G O. (Ms.) No. 64/2014/WRD.**

*Dated, Thiruvananthapuram, 22nd July 2014.*

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*Read:—*1. G O. (Ms.) No. 30/2014/WRD dated 18-3-2014.

2. Letter No. IDR/ISW/AD2/265/2013 dated 27-3-2014, 21-4-2014 and 20-5-2014 from the Chief Engineer, ISW.
3. Letter dated 15-5-2014 from Sri Ramesh Babu, M. R., Standing Counsel for the State of Kerala.

#### **ORDER**

Government have specified the categories of information related to Inter State Water matters, which have been exempted from Suo Motu disclosure under Section 4 of the RTI Act, 2005 vide order read as first paper above. But Chief Engineer, ISW has informed Government that various individuals are approaching the Chief Engineer, ISW for various documents which have been submitted before the various Court of law; under RI Act 2005. The Chief Engineer requested Government to exempt all the information related to Interstate Water matters from revealing to the public even on request under RI Act as per letter read as second paper above.

According to legal advice, the pleadings filed in pending cases and the documents relied upon in the cases, are to be protected from the disclosure as the disclosure of these materials may adversely affect the conduct of the case.

Also the documents which are privy to Government and not filed in court, need not be disclosed to others because disclosure of the same may hamper the interest of the State in future.

Section 8 and 9 of the RI Act enumerates the categories of information which are exempt from disclosure. As per clause (a) of sub-section (1) of section 8 of the RI Act there shall be no obligation to give any citizen, information, disclosure of which would prejudicially affect the sovereignty and integrity of India, the security, strategic, scientific or economic interests of the State, relation with foreign state or lead to incitement of an offence.

Government have examined the matter in detail and are pleased to order that all documents/ information related to Inter State matters and documents/ information which Government feels privy and the disclosure of the same may hamper the interest of the State shall be exempted from revealing to the public even on request under RTI Act, until the disposal of various cases pending before the Supreme Court and other Courts.

By order of the Governor,

V. J. KURIAN,

*Additional Chief Secretary To Government.*

To

The Chief Engineer (ISW), Thiruvananthapuram.

The Chief Engineer (I & A), Thiruvananthapuram.

The Chief Engineer (IDRB), Thiruvananthapuram.

Sri Ramesh Babu, Advocate, Standing Counsel for the Government of Kerala, 119, New Lawyers Chambers, Supreme Court of India, New Delhi-110 001.

The Principal Accountant General, (A&E), Kerala, Thiruvananthapuram.

The Accountant General (Audit) Kerala, Thiruvananthapuram.

Law (Opinion F) Department [vide U.O.(R) No.11364/F3/14/Law dated 11-6-2014].

Information and Public Relations Department (for giving wide publicity and publishing on the website).

The Commissioner, State Information Commission (with covering letter).

Stock File/Office Copy.

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